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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/675,312	09/29/2000	Narayan Menon	00 P 7937 US	1505

7590 05/21/2004

Siemens Corporation
Attn Elsa Keller Legal Administrator
Intellectual Property Department
186 Wood Avenue South
Iselin, NJ 08830

EXAMINER

JONES, PRENELL P

ART UNIT	PAPER NUMBER
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2667

DATE MAILED: 05/21/2004

6

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/675,312

Applicant(s)

MENON ET AL.

Examiner

Prenell P Jones

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 September 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 28-36, 39 and 40 is/are allowed.
- 6) ☒ Claim(s) 1-3, 5, 8, 12-16, 18, 21, 22, 24, 27, 37, 38 is/are rejected.
- 7) ☐ Claim(s) 4, 6, 7, 9-11, 17, 19, 20, 23, 25 and 26 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5 (5)
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 5, 12-16, 18, 21, 24, 27, are rejected under 35 U.S.C. 102(b) as being anticipated by Lager et al.

Regarding claims 1, 2, 5, 12-16, 18, 21, 24, 27 Lager disclose (Abstract, Figs. 8-11, col. 3, line 1 thru col. 5, line 55) a switching device in a mobile system that supports GPRS of a mobile radio network, selection of data packets is based on the transmission of network parameters, wherein the architecture includes network a plurality of packet data communication networks, parameters transmitted to GPRS support node, multiple Internet service providers can be connected to a GPRS network, plurality of mobile stations, GPRS support node keeps track individual mobile stations location and performs security function and access control, GPRS register acts as a data base, (col. 18, line 38-57) packet data transmission associated with a GPRS system, (Fig. 6-10) GPRS support node coupled to packet network and an external packet network (col. 8, line 1 to col. 9, line 67) subscribers/users information parameters (profile information) stored in HLR, (col. 11, line 6 thru col. 13, line 20, col. 17, line 19-67) as indicated in figures 1 and 4, GPRS (access point) is coupled to base station, plurality of network

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indication parameters (profile information), (col. 19, line 10-58) plurality of access means (packet data networks, LANs, GPRS), (col. 18, line 39-55) specific internetworking point and default internetworking point, (col. 11, line 6 thru col. 12, line 67) plurality of PLMN/public-land mobile network and (Fig. 8, col. 1 line 17 thru col. 14, line 67) PDN1/PDN2 are corporate networks/private network using X.25 protocol and GPRS PLMN is associated with GPRS protocol, gateway GSN (GGSN) provides internetworking (internetworking point) with packet-switched network.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 8, 22, 37 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lager et al in view of Balazinski et al.

Regarding claims 8, 22, 37 and 38, as indicated above, Lager discloses (Abstract, Figs. 8-11, col. 3, line 1 thru col. 5, line 55) a switching device in a mobile system that supports GPRS of a mobile radio network, selection of data packets is based on the transmission of network parameters, wherein the architecture includes network a plurality of packet data communication networks, parameters transmitted to GPRS support node that includes a IP layer operable over packet network, multiple Internet service providers can be connected to a GPRS network, plurality of mobile stations, GPRS support node keeps track individual mobile stations location and performs security function and access control, GPRS register acts as a data base, (col. 18, line 38-57) packet data transmission associated with a GPRS system, (Fig. 6-10) GPRS support node coupled to packet network and an external packet network (col. 8, line 1 to col. 9, line 67) subscribers/users information parameters (profile information) stored in HLR, (col. 11, line 6 thru col. 13, line 20, col. 17, line 19-67) as indicated in figures 1 and 4, GPRS (access point) is coupled to base station, plurality of network indication parameters (profile information), (col. 19, line 10-58) plurality of access means (packet data networks, LANs, GPRS), (col. 18, line 39-55) specific internetworking point and default internetworking point, (col. 11, line 6 thru col. 12, line 67) plurality of PLMN/public-land mobile network and (Fig. 8, col. 1 line 17 thru col. 14, line 67) PDN1/PDN2 are corporate networks/private network using X.25 protocol and GPRS

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PLMN is associated with GPRS protocol, gateway GSN (GGSN) provides internetworking (internetworking point) with packet-switched network. Lager is silent on GPRS support node including a network services control point as an interface between a base station and GPRS protocol layer. In analogous art, Balazinski discloses (Abstract, Figs. 3 & 5, col. 1, line 48-67, col. 2, line 15 thru col. 3, line 67 and col. 5, line 1-67, col. 7, line 7 thru col. 8, line 20) a GPRS network interfacing a base station with GPRS support node wherein the architecture includes a protocol layer stack in a BSS and SGSN that is associated with an IP layer, network service control layer/sub-layer, and it is desirable to use connectionless IP-based interfaces associated with a GPRS system. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to be motivated to implement a network service control point as an interface between IP layer and a base station system GPRS layer which is taught by Balazinski with the teachings of Lager for the purpose of providing additional access to the IP network.

Allowable Subject Matter

6. Claims 28-36, 39 and 40 are allowed over prior art.
7. Claims 4, 6, 7, 9-11, 17, 19, 20, 23, 25 and 26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
8. The following is a statement of reasons for the indication of allowable subject matter: Although the cited art teaches a switching device in a mobile system that

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supports GPRS of a mobile radio network, selection of data packets is based on the transmission of network parameters, wherein the architecture includes network a plurality of packet data communication networks, parameters transmitted to GPRS support node that includes a IP layer operable over packet network, multiple Internet service providers can be connected to a GPRS network, plurality of mobile stations, GPRS support node keeps track individual mobile stations location and performs security function and access control, GPRS register acts as a data base, (col. 18, line 38-57) packet data transmission associated with a GPRS system, GPRS support node coupled to packet network and an external packet network subscribers/users information parameters (profile information) stored in HLR, GPRS (access point) is coupled to base station, plurality of network indication parameters (profile information), plurality of access means (packet data networks, LANs, GPRS), specific internetworking point and default internetworking point, plurality of PLMN/public-land mobile network and PDN1/PDN2 are corporate networks/private network using X.25 protocol and GPRS PLMN is associated with GPRS protocol, gateway GSN (GGSN) provides internetworking (internetworking point) with packet-switched network. Lager is silent on GPRS support node including a network services control point as an interface between a base station and GPRS protocol layer, a GPRS network interfacing a base station with GPRS support node wherein the architecture includes a protocol layer stack in a BSS and SGSN that is associated with an IP layer, network service control layer/sub-layer, and it is desirable to use connectionless IP-based interfaces associated with a GPRS system they fail to teach/suggest an access point that retrieves the first/second

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profile information, compares the first/second profile information and provides GPRS service to the mobile station based on the comparison, and a GPRS support node that consist of a Part-3 message transfer (MTP-3) user adaptation protocol layer and a stream control transmission protocol layer to manage MTP-3 messages

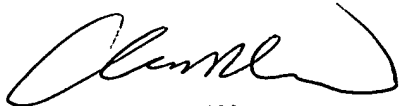
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prenell P. Jones whose telephone number is 703-305-0630. The examiner can normally be reached on 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on 703-305-4378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Prenell P. Jones

May 13, 2004



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